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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,580	06/30/2000	Frankie F Roohparvar	400.006US01	9345

7590 04/11/2003

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EXAMINER

PHAN, TRONG Q

ART UNIT	PAPER NUMBER
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2818

DATE MAILED: 04/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory ActionApplication No.
09/608,580Applicant(s)
ROOHPARVARExaminer
TRONG PHANArt Unit
2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED Mar 24, 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

THE PERIOD FOR REPLY [check only a) or b)]

- a) ☒ The period for reply expires three months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see NOTE below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because:
see attached explanation.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.

9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 16

10. ☐ Other: _____

Phan Trong
TRONG PHAN
PRIMARY EXAMINER

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ADVISORY ACTION

Applicant's request for reconsideration filed on 3/24/03 has been fully reconsidered but it is NOT persuasive to place the application under condition for allowance because of the following reasons:

A) Regarding the rejection of claims 2, 19-20 and 22-23 under 35 USC 112, first paragraph:

For claim 2, nowhere in the specification is seen to describe the data write operation is executed on a first memory bank and the data read operation is executed on a second memory bank.

For claims 19 and 22, nowhere in the specification is seen to describe the method of receiving a read command on a first clock cycle and receiving a write command on a second clock cycle immediately following the first clock cycle. The specification only describes receiving a write command on a first clock cycle and receiving a read command on a second clock cycle immediately following the first clock cycle in lines 19-26 of page 42.

For claims 20 and 23, nowhere in the specification is seen to describe the write command sequence comprising a load command register cycle, an active cycle and a write cycle.

Therefore, the rejection of claims 2, 19-20 and 22-23 under 35 USC 112, first paragraph, is still totally proper and is sustained.

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B) Regarding the rejection of claims 1-13 under 35 USC 102(b) as being anticipated by Cowles et al., 5,263,003:

1) Cowles et al., 5,263,003, clearly disclose "a flash memory of a non-volatile storage device" (see line 9, column 1) and the key word "synchronous" (see line 27, column 5). Therefore, in one way or another way, this flash memory of a non-volatile storage device must be a synchronous non-volatile memory device in view of the plain language such as Applicant's synchronous non-volatile memory device unless claims 1-13 further recite the specific synchronous operation for the claimed non-volatile memory device.

2) Cowles et al., 5,263,003, further specifically discloses that "these control signals indicate that a read operation is occurring and **synchronize** the flash memory control 88 to other components of the system controller 16" (see lines 19-21, column 10).

3) Cowles et al., 5,263,003, clearly discloses that "once one bank of the flash memory 55 has been erased, it will be reprogrammed immediately" (see lines 55-56, column 15) and "Once a complete erasure of the memory circuit has been verified, reprogramming can commence. All the memory devices are placed simultaneously into a write state ... **Then** the contents of the given storage location are read." (see lines 13-18, column 3).

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Accordingly, the rejection of claims 1-13 under 35 USC 102(b) as being anticipated by Cowles et al., 5,263,003, is still proper and is sustained.

C) Regarding the rejection of claims 14-27 under 35 USC 102(b) as being anticipated by Patel, 5,539,696:

First of all, independent claims 14, 19, 22 and 24 do not recite any term "non-volatile" but just only "synchronous memory device".

Secondly, Patel, 5,539,696, clearly discloses in Fig. 1 a system including a synchronous memory device SDRAM 14 being coupled to digital processor 12 via bidirectional data bus 18; wherein: the concepts discussed in connection with SDRAM 14 can apply as well to non-volatile memory devices such as EEPROM (see lines 22-25, column 4).

Accordingly, the rejection of claims 14-27 under 35 USC 102(b) as being anticipated by Patel, 5,539,696, is still proper and is sustained.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRONG PHAN whose telephone number is (703) 308-4870 and email address is trong.phan@uspto.gov



**TRONG PHAN
PRIMARY EXAMINER**

April 2, 2003